

POLICY STATEMENT

TENNESSEE COMMITTEE OF PHYSICAL THERAPY

PATIENT REFERRALS FOR PHYSICAL THERAPY

Tennessee Code Annotated, Section 63-6-204 (a) defines what is considered to be included in the practice of medicine and after doing so makes the following exceptions in subsection (b) to allow the included health care professionals to perform medical services that would otherwise require a license to practice medicine.

(b) Nothing in this chapter shall be so construed as to prohibit service rendered by a physician assistant, registered nurse or a licensed practical nurse if such service is rendered under the supervision, control and responsibility of a licensed physician.

Statutes and Board of Medical Examiner rules have further defined the relationship between supervising physicians and physician assistant, orthopedic physician assistants and, certified nurse practitioners who are registered nurses who have been certified by the Board of Nursing pursuant to Tennessee Code Annotated §§ 63-7-123 and 63-7-207 (14) and issued a certificate of fitness by the Board of Nursing. Those statutes and rules provide in pertinent part as follows:

In regards to physician assistants and orthopedic physician assistants:

The range of services which may be provided by a physician assistant [orthopedic physician assistant] shall be set forth in a written protocol, jointly developed by the supervising physician and the physician assistant [orthopedic physician assistant]... [T.C.A. §§ 63-19-106(a)(2) and 63-19-203 and 204]

A physician assistant [orthopedic physician assistant] may perform only those tasks which are within the physician assistant's range of skill and competence, which are within the usual scope of practice of the supervising physician, and which are consistent with the protection of the health and well-being of the patients. [T.C.A. §§ 63-19-106(a)(3) and 63-19-203 and 204]

A physician assistant shall function only under the control and responsibility of a licensed physician. The supervising physician has complete and absolute authority over any action of the physician assistant...[T.C.A. § 63-19-106(b) and 63-19-203]

Additionally, rules 0880-2-.18 (3), (5) and (6) in regards to physician assistants provide as follows:

(3) A supervising physician and/or substitute supervising physician shall have experience and/or expertise in the same area of medicine as the physician assistant.

(5) Protocols are required and:

- (a) shall be jointly developed and approved by the supervising physician and physician assistant;*
- (b) shall outline and cover the applicable standard of care; . . .*

(6) The supervising physician shall be responsible for ensuring compliance with the applicable standard of care under (5). Additionally, the supervising physician shall develop protocols in collaboration with the physician assistant to include a method for documenting consultation and referral. [emphasis added]

Likewise, rules 0880-6-.02 (3), (5) and (6) in regards to certified nurse practitioners provide that:

- (3) *A supervising physician and/or substitute supervising physician shall have experience and/or expertise in the same area of medicine as the certified nurse practitioner.*
- (5) *Protocols are required and:*
 - (a) *shall be jointly developed and approved by the supervising physician and nurse practitioner;*
 - (b) *shall outline and cover the applicable standard of care; . . .*
- (6) *The supervising physician shall be responsible for ensuring compliance with the applicable standard of care under (5). Additionally, the supervising physician shall develop clinical guidelines in collaboration with the certified nurse practitioner to include a method for documenting consultation and referral.* [emphasis added]

The Tennessee Committee of Physical Therapy hereby states its position with regard to the application of these statutes and rules to the Committee's statutes regarding patient referrals for physical therapy.

State law and rules, the Board of Medical Examiners and, the Committee on Physician Assistants say that jointly developed protocols may include referral of patients for physical therapy if referrals to physical therapy are within the physician assistant's orthopedic physician assistant's and, certified nurse practitioner's range of skill and competence, and such referrals are within the usual scope of practice of the supervising physician. Consequently, when referral for physical therapy is included in protocols those referrals, if made by a physician assistant, orthopedic physician assistant or, certified nurse practitioner, are considered referral orders of supervising physician.

This Committee adopts that interpretation of "referral orders" for the purposes contemplated by Tennessee Code Annotated, Sections 63-13-109 and 303 that require, in pertinent part that *"The practice of physical therapy shall be under the written or oral referral of a licensed doctor of medicine or osteopathy.. . ."*

Adopted by the Tennessee Committee of Physical Therapy on this the 2nd day of February, 2001.

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